

ASSEMBLY BILL

No. 1469

Introduced by Assembly Member Negrete McLeod

February 22, 2005

An act to add Sections 798.54 and 798.54.5 to the Civil Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1469, as introduced, Negrete McLeod. Mobilehome parks: manager licensing.

Existing law governs the administration and management of mobilehome parks, as specified.

This bill would require the Department of Housing and Community Development to establish a mobilehome park licensing and certification program and task force, as specified, and would require, by January 1, 2007, all mobilehome park owners of parks with 50 or more spaces, to provide proof that they employ a resident manager in the park who has successfully completed the program. To fund the program, the bill would require the department to impose a \$75 fee in addition to the department permit-to-operate fee, allow the department to adopt additional specified fees, and require the department to impose a \$1,000 penalty if proof of licensing and certification is not provided, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares that
2 mobilehomes in rental spaces in mobilehome parks provide a

1 significant stock of the affordable housing in California. The
2 Legislature has recognized that the health and safety of
3 mobilehome park residents requires the presence of resident
4 managers in parks with 50 or more spaces, who can respond in
5 emergencies, and which persons reside in the park pursuant to
6 Section 18603 of the Health and Safety Code. The Legislature
7 has determined that some parks have failed to designate a
8 resident manager who resides in the park, and have instead
9 attempted to comply with the requirements of the law by posting
10 notices of cell phone numbers of persons outside the park who
11 can be contacted if there is an emergency. Those actions by park
12 owners and managers do not fulfill the obligations intended by
13 the Legislature, nor do they serve the health and safety
14 considerations of park residents.

15 The Legislature further finds that the proper operation and
16 management of parks can best be accomplished if persons
17 serving as mobilehome park managers have a basic
18 understanding and familiarity with the Mobilehome Residency
19 Law (Chapter 2.5 (commencing with Section 798) of Title 2 of
20 Part 2 of Division 2 of the Civil Code) and Title 25 of the Code
21 of Regulations, which govern mobilehome parks in California.
22 Therefore, the Legislature adopts this act to establish a program
23 for the licensing and certification of mobilehome park managers.

24 SEC. 2. Section 798.54 is added to the Civil Code, to read:

25 798.54. Any mobilehome parks with 50 or more rental spaces
26 shall provide a resident park manager who shall be responsible
27 for, and who shall reasonably respond in a timely manner to,
28 emergencies concerning the operation and maintenance of the
29 park. That person shall reside in the park and shall have
30 knowledge of emergency procedures relative to utility systems
31 and common facilities under the ownership and control of the
32 owner of the park.

33 SEC. 3. Section 798.54.5 is added to the Civil Code, to read:

34 798.54.5. (a) The Department of Housing and Community
35 Development, shall establish a Mobilehome Park Manager
36 Licensing and Certification Task Force comprised of equal
37 representation from park owners and managers, mobilehome
38 owners and residents, and local and state mobilehome park
39 enforcement personnel, which members are willing to serve on a
40 voluntary basis and to meet periodically commencing April 1,

1 2006, for the purpose of developing a multiple choice
2 examination designed to test the basic understanding of the
3 Mobilehome Residency Law and Title 25 of the Code of
4 Regulations of persons desiring to serve as resident managers in
5 mobilehome parks. The test approved by the task force shall be
6 made available online from the department's Web site to all
7 persons who have paid the fee adopted by the department for that
8 test. The department shall encourage existing trade associations
9 and organizations to provide educational seminars or test
10 preparation courses to persons seeking to take the licensing and
11 certification test for park managers.

12 (b) The Mobilehome Park Manager Licensing and
13 Certification Program, administered by the department, shall be
14 funded by a charge of seventy-five dollars (\$75) to be added to
15 the department's permit-to-operate licensing fee to be charged to
16 all mobilehome parks with 50 or more mobilehome spaces,
17 commencing June 1, 2006. Additionally, the department may
18 adopt a fee for the licensing and certification examination, and a
19 fee for the issuance of a Mobilehome Park Manager License and
20 Certification for those persons receiving a passing score on the
21 examination. Licenses and certification shall be valid for a period
22 of four years and may be reissued by the department only upon
23 the passing of the licensing examination then adopted by the
24 department.

25 (c) Before January 1, 2007, all mobilehome park owners of
26 parks with 50 or more spaces shall be required to provide proof
27 that they employ a resident manager in their park who has
28 successfully completed the licensing and certification program. If
29 required proof has not been provided to the department by
30 January 1, 2007, the department shall assess a penalty of one
31 thousand dollars (\$1,000) to be added to that park's
32 permit-to-operate fee in 2007, and the department may cite the
33 park for violation of this section, and impose a daily fine
34 therefore until the park complies with this section.

35 (d) In order to protect the health and safety of mobilehome
36 park residents, all park owners shall perform a background check
37 on all park employees, including a check for felony convictions
38 including sex offenses, and to maintain in their business records
39 the date on which the checks were performed on their employees,

- 1 and the results of those checks. Background checks shall be
- 2 required commencing July 1, 2006, and be updated each year.

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